

REMARKS

Reconsideration of this application, as amended, is respectfully requested.

In the Office Action, Claims 1-2 and 6-10 have been rejected under 35 U.S.C. §103(a) over Johnson (US 4,868,576) in view of Chatzipetros (US 5,554,996), and Claims 3-5 have been rejected under 35 U.S.C. §103(a) over Johnson (US 4,868,576) in view of Chatzipetros (US 5,554,996) and further in view of Phillips et al. (US 5,572,223).

There are three independent claims pending in this application, Claims 1, 6 and 10. Claim 1 was rejected in view of the combination of Johnson and Chatzipetros.

Johnson discloses an extendable antenna for portable cellular telephones with a ground radiator; Chatzipetros discloses an antenna for communication device; and Phillips discloses an antenna device for portable equipment.

Regarding Claim 1, the Examiner states that Johnson teaches “a transmission line” (Column 3, Lines 47-59), as recited in Claim 1. Johnson teaches that the positioning of this transmission line should be on the top of the housing “so that the operator’s hand will not enclose it.” (Column 3, Lines 39-40). Furthermore, the Examiner states that Chatzipetros teaches a conductor connected to substrate board such that the electrical equivalent length of the radio handset is $\frac{1}{2}$ wavelength (Column 2, Lines 46-61 and Column 3, Lines 13-21).

None of the references disclose shifting the peak current distribution point wherein the magnitude of electromagnetic radiation emitted from the peak current distribution point in the vicinity of the front side of the terminal body is minimized so that the pattern of the emitted

electromagnetic waveform adjacent to the terminal's front side is reshaped in such a way so as to reduce the influence of electromagnetic waves upon a user's head. Claim 1 has been amended to recite these elements.

Regarding independent Claims 6 and 10, Claims 6 and 10 have been amended in a manner similar to Claim 1.

Based on at least the foregoing arguments and distinctions, withdrawal of the rejections of Claims 1-10 is respectfully requested.

Independent Claims 1, 6 and 10 are believed to be in condition for allowance. Without conceding the patentability per se of dependent Claims 2-5, and 7-9, these are likewise believed to be allowable by virtue of their dependence on their respective amended independent Claims. Accordingly, reconsideration and withdrawal of the rejections of dependent Claims 2-5, and 7-9 is respectfully requested.

Regarding the finality of the present Office Action, the Examiner is reminded that the present amendment contains material which was presented in an earlier amendment responding to an after final rejection but was denied entry because new issues were allegedly raised that required further consideration and/or search. According to MPEP Section 706.07(b), "it would not be proper to make final a first Office action in a case where an amendment is presented after final rejection or closing of prosecution but was denied entry because new issues were raised that required further consideration and/or search." Accordingly, the Examiner is requested that the finality of the present Office Action be withdrawn.

Foam
✓ Case needs to be Counted.
✓ Reference Coping needed.
✓ Communication needs to be Mailed.

Accordingly, all of the claims pending in the Application, namely, Claims 1-10, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicants' attorney at the number given below.

Respectfully submitted,



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